

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

ROSS et al

Serial No. 09/581,286

Filed: June 28, 2000

Title: P. GINGIVALIS POLYPEPTIDES AND NUCLEOTIDES



Atty Dkt. 4137-3

C# M#

TC/A.U.: 1631

Examiner: Borin, M.L.

Date: September 26, 2005

JF/AP
JFW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Correspondence Address Indication Form Attached.

NOTICE OF APPEAL

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting \$500.00 (1401)/\$250.00 (2401) \$ 500.00 applicant's claim(s).

An appeal **BRIEF** is attached in the pending appeal of the above-identified application \$500.00 (1402)/\$250.00 (2402) \$ 0.00

Credit for fees paid in prior appeal without decision on merits -\$ (0.00)

A reply brief is attached in triplicate under Rule 41.41 (no fee)

Pre-Appeal Brief Request for Review form attached.

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)
One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$ 1020.00

"Small entity" statement attached.

Less 2 month extension previously paid on August 24, 2005 -\$ (450.00)

TOTAL FEE ENCLOSED \$ 1070.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
LCM:lpm

NIXON & VANDERHYE P.C.

By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: _____

09/27/2005 SZEWDIE1 00000015 09581286

01 FC:1401 500.00 OP
02 FC:1253 570.00 OP